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5 NOT FOR CITATION  
6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
8 SAN JOSE DIVISION  
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10 RICHARD MAYO, on behalf of himself and the  
11 People of California,

12 Plaintiff,

13 v.

14 DEAN WITTER REYNOLDS, INC., MORGAN  
15 STANLEY DEAN WITTER & CO. dba MORGAN  
16 STANLEY DEAN WITTER, and DOES 1-50,

17 Defendants.  
18

Case Number C-01-20336 JF (PVT)

ORDER CORRECTING AND  
AMENDING ORDER ISSUED  
APRIL 22, 2003

19 The Judicial Council of California ("Judicial Council") requests that the Court correct certain  
20 statements in its April 22, 2003 Order Denying Plaintiff's Motion to Vacate Order Compelling  
21 Arbitration and Staying Proceedings concerning the Judicial Council's status in this litigation.

22 On November 26, 2002, the Court invited the Judicial Council to submit an amicus brief in this  
23 action. In response, the Judicial Council provided the Court with copies of briefs it had filed in *NASD*  
24 *Dispute Resolution, Inc., et al. v. Judicial Council of California, et al.*, Case No. 02-3486-SMC  
25 (N.D. Cal. filed July 22, 2002). The Judicial Council has clarified that its submission was not intended  
26 to be treated as an amicus brief. Accordingly, the Court amends its April 22, 2003 Order as set forth  
27 below.  
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1           1) Footnote 8 on page 8, lines 26-28, is corrected to read: "The Court also received an amicus  
2 brief from the California Attorney General that is neutral with respect to Plaintiff's individual argument  
3 but which urges the Court not to find preemption."

4           2) The sentence on page 18, lines 1-3, is corrected to read: "Plaintiff contends that application  
5 of the California standards is not preempted by the Exchange Act because the California standards and  
6 the SRO arbitration rules share similar goals with respect to disclosure and disqualification."

7           3) The sentence on page 18, lines 7-9, is corrected to read: "Plaintiff further contends that any  
8 additional obligations imposed upon SROs by the California standards are not inconsistent with the  
9 obligations of the SROs under their SEC-approved rules."

10           IT IS SO ORDERED.

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12           DATED: April 29, 2003

(electronic signature authorized)

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14           \_\_\_\_\_  
JEREMY FOGEL  
United States District Judge

Copies of this Order have been served upon the following persons:

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